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Attorneys for Defendant
PAULINE CASTRO

FILED
DISTRICT COURT OF GUAM

APR 25 2006

MARY L.M. MORAN
CLERK OF COURT

IN THE UNITED STATES DISTRICT COURT
FOR THE TERRITORY OF GUAM

UNITED STATES OF AMERICA,

CRIM. CASE NO. CR-06-00001-001

Plaintiff,

vs.

DEFENDANT'S MOTION FOR
RELEASE
(Hearing Requested)

PAULINE CASTRO,

Defendant.

COMES NOW, Defendant, Pauline Castro, by and through counsel, and moves this Honorable Court for release as there exists a condition or combination of conditions which will ensure that Defendant is not a danger to the community nor a risk of flight.

Please see the attached document from U.S. Probation outlining why and under what conditions Defendant should be released. Said document incorporated by reference.

It is believed Plaintiff opposes this Motion.

WHEREFORE, Defendant prays for release.

//

ORIGINAL

Respectfully Submitted,

LAW OFFICES OF GORMAN & GAVRAS

Date: April 25, 2006.

By: 

WILLIAM L. GAVRAS, ESQ.
Attorneys for Defendant
PAULINE CASTRO

CERTIFICATE OF SERVICE

I certify that I will cause to be served upon the Office of the U.S. Attorney, by hand delivery, a true and correct copy of this document on or before April 26, 2006.

Date: April 25, 2006.

By: 

WILLIAM L. GAVRAS, ESQ.
Attorneys for Defendant
PAULINE CASTRO

UNITED STATES DISTRICT COURT

DISTRICT OF GUAM
PROBATION OFFICE

FRANK MICHAEL CRUZ
CHIEF PROBATION OFFICER



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April 19, 2006

RECEIVED

APR 20 2006

DISTRICT COURT OF GUAM
HAGATNA, GUAM

The Honorable Joaquin V.E. Manibusan, Jr.
U.S. Magistrate Judge
U.S. District Court of Guam
4th Floor, U.S. Courthouse
520 West Soledad Avenue
Hagatña, Guam 96910

Re: **PAULINE MARIE CASTRO**
U.S.D.C. Cr. Cs. No. 06-00001-001
Report of Third-Party Custodian

Dear Judge Manibusan:

On February 10, 2006, Pauline Marie Castro was arrested by agents of the U.S. Drug Enforcement Administration after she was indicted by the Federal Grand Jury for the following offenses, to wit: Counts I and II - Distribution of Methamphetamine Hydrochloride, in violation of 21 U.S.C. § 841(a)(1) and 18 U.S.C. § 2. She was detained after her initial court appearance. On April 3, 2006, the defendant pleaded guilty to both counts of the Indictment. She was returned to custody to await sentencing set for July 24, 2006.

The defendant's attorney requested a third-party study of Luis Acfalle Castro in preparation of a bail modification motion. On April 3, 2006, the Probation Officer interviewed the defendant's 63-year-old father. Mr. Castro reported that he is unemployed, however, he receives \$485 per month from the Veteran's Administration in compensation benefits. He is married albeit separated from the defendant's mother. Currently, he is in a live-in relationship with 47-year-old Natania Rest, who is employed with the Division of Vocational Rehabilitation, Department of Integrated Services for Individuals with Disabilities, Government of Guam. A criminal check with the Guam Police Department revealed that Mr. Castro was arrested on January 11, 1975 for a Battery offense, but he was not prosecuted. His girlfriend has no criminal record. Mr. Castro reported that there are no firearms in the home and he does not have a firearms identification card. He is willing to serve as custodian of the defendant and understands the duties and responsibilities of the position.

Report of Third-Party Custodian
Re: Pauline Marie Castro
Page 2

On April 4, 2006, an inspection of the Castro home revealed a tin and wood structure with two bedrooms and one bathroom. The house address is located at 789 Swamp Road in Dededo, Guam. The property is leased by Mr. Castro from the Chamorro Land Trust Commission. As coincidental information, the Probation Officer learned that the defendant's mother resides next door in a structure formerly used as a garage but converted into a one room dwelling. Mrs. Castro was interviewed and she expressed a willingness to help with the supervision of her daughter if released. The construction of both homes is not conducive to electronic monitoring. The occupants of Mr. Castro's home include his girlfriend, his 33-year-old daughter, Tina M. Castro (the defendant's twin), and her six minor grandchildren, who range from age one to 14 years. Although the residence is crowded, the defendant will have a separate bedroom.

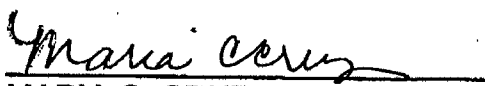
Assistant U.S. Attorney Karon Johnson objected to the defendant's release from custody, especially since she is facing a mandatory minimum sentence.

In spite of the government's objection, the Probation Officer believes there are conditions that could reasonably be imposed to address the risk of flight and/or danger if the defendant is released.

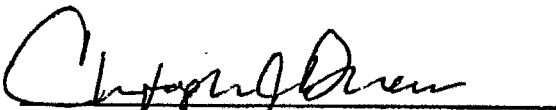
Respectfully submitted,

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:


MARIA C. CRUZ
U.S. Probation Officer

Approved by:


CHRISTOPHER J. DUENAS
U.S. Probation Officer Specialist

cc: Karon V. Johnson, AUSA
William L. Gavras, Defense Counsel

Post-It* Fax Note	7671	Date	4/20/06	# of pages	2
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